

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

DAVID CORT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 11-3448-CV-S-RED
)	
KUM & GO, L.C.,)	
)	
Defendant.)	

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

COMES NOW, Plaintiff, by and through the undersigned attorney, and moves pursuant to Fed. R. Civ. P. 56 for summary judgment on his claims that Defendant Kum & Go, L.C. deprived Plaintiff of his rights under the Fair Labor Standards Act of 1938, 29 U.S.C. § 201, *et seq.* and deprived Plaintiff of his rights under the wage and hour laws of the State of Missouri, Sect. 290.500, *et seq.*, RSMo. (2006). Plaintiff submits in conjunction with this motion his Suggestions in Support of Plaintiff's Motion for Partial Summary Judgment.

WHEREFORE Plaintiff respectfully requests judgment be entered finding Defendant Kum & Go, L.C. liable to Plaintiff under 29 U.S.C. § 201, *et seq.* and Sect. 290.500, *et seq.*

Respectfully submitted,

/s/ Jason T. Umbarger

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CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2012, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system.

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/s/ Jason T. Umbarger

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